

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Eva T., <sup>1</sup>	)	C/A No.: 1:20-cv-2887-DCN-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Andrew M. Saul,	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	
	)	

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Defendant, Andrew M. Saul, Commissioner of the Social Security Administration (“Commissioner”), by his attorneys, M. Rhett DeHart, Acting United States Attorney for the District of South Carolina, and Barbara M. Bowens, Assistant United States Attorney for said district, has moved this court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 13]. The motion represents that Plaintiff’s counsel consents to the motion. *Id.*

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner’s decision with remand in Social

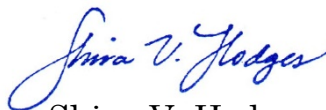
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<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

Security actions under sentence four of 42 U.S.C. § 405(g),<sup>2</sup> and given the Commissioner's request for remand of this action for further proceedings, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). Upon remand, the Appeals Council shall vacate the Administrative Law Judge's ("ALJ's") decision and refer the case to an ALJ to further evaluate Plaintiff's claim, provide her an opportunity for another hearing, and issue a new decision. The ALJ should specifically evaluate evidence as to fibromyalgia, the medical opinions of record, and Plaintiff's maximum residual functional capacity. The Clerk of Court is directed to enter a separate judgment pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

April 12, 2021  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge

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<sup>2</sup> Pursuant to the court's standing order, *In the Matter of Consensual Dismissal of Actions Before Magistrate Judges*, M-90-3-FBH, and in accord with 28 U.S.C. § 636(c), the undersigned is authorized to enter judgment in the case.